

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

May 30, 2008

Charles R. Fulbruge III
Clerk

No. 07-60999
Summary Calendar

ROBERT E. McCLENDON,

Plaintiff-Appellant

v.

WAL-MART STORES, INC.; CLAIMS
MANAGEMENT, INC.,

Defendants-Appellees

Appeal from the United States District Court
for the Southern District of Mississippi
(2:06-CV-236)

Before WIENER, GARZA, and BENAVIDES, Circuit Judges.

PER CURIAM: *

Plaintiff-Appellant Robert E. McClendon appeals from the district court's grant of summary judgment rejecting McClendon's claims grounded in work-related injuries to his knee. Finding no genuine issues of material fact raised by McClendon, the district court's summary judgment rejected all of McClendon's claims. We affirm.

Having carefully reviewed the record on appeal, including the briefs of

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

the parties and the district court's detailed analysis, we are satisfied that the district court's rulings are fully supported. The overarching taint from McClendon's repeated mendacity in denying prior injuries and difficulties with the knee implicated in this action pervades his case and defeats his efforts to paint the acts of the defendants in a light favorable to him. As indicated by the district court, the prolonged investigation conducted by Claims Management, Inc. before authorizing surgery was both explained and justified by the doubt and suspicion McClendon himself created by his denial of prior problems with the knee.

For essentially the same reasons so well explicated by the district court, its grant of summary judgment for the Defendants-Appellees is, in all respects,

AFFIRMED.